

**UTILITY PATENT APPLICATION TRANSMITTAL**Attorney Docket No. 48266-61462CIP

(Only for new nonprovisional applications under 37 CFR 1.53(b))

**To the Assistant Commissioner of Patents**

Transmitted herewith for filing is the patent application of:

Inventors: **Kjell EKBERG and Sudhir CHOWDHURY**

Corresponding to \_\_\_\_\_ filed on \_\_\_\_\_

Title: **SYSTEM FOR PREPARATION OF A SOLUTION AND USE OF THE SOLUTION**

Enclosed are:

- ☒ 25 Pages of Specification containing 11 claims
- ☒ 12 Sheets of formal Drawings ☒ Abstract of the Disclosure
- ☐ Submission of English translation of prior provisional application under 37 CRR 1.78(a)(5)
- ☒ Newly executed Oath or Declaration/Power of Attorney
- ☐ Copy of Oath or Declaration/Power of Attorney from a prior application (continuation/divisional)
- ☐ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied as indicated in the preceding box, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ Deletion of inventor(s). A signed statement attached deleting inventor(s) named in the prior application (see 37 CFR 1.63 (d)(2) and 1.33(b))
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27
- ☒ Application Data Sheet under 37 C.F.R. § 1.76
- ☒ Assignment Papers (cover sheet & document(s))
- ☒ Information Disclosure Statement (IDS) w/PTO-1449 - ☐ Copy of IDS citations
- ☒ Preliminary Amendment
- ☒ Itemized Return Receipt Postcard
- ☐ Certified Copy of Priority Document(s)
- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies); or ii. ☐ paper
- c. ☐ Statement verifying identity of above copies
- ☒ Other Attachment: Petition under 37 C.F.R. 1.47(a) with attachments

# UTILITY PATENT APPLICATION TRANSMITTAL

(continued)

Attorney Docket No. 48266-61462CIP

If a CONTINUING APPLICATION, check appropriate box, and supply requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part of Prior Appln. # 09/623,834

Prior Application Information: Examiner: Wallace, V. Tech Center: 1724

## CORRESPONDENCE INFORMATION

Customer Number:  
000466



Bar Code Label:

000466

PATENT TRADEMARK OFFICE

Correspondence Address: Young & Thompson  
745 South 23<sup>rd</sup> Street, Second Floor  
Arlington, VA 22202  
Telephone (703) 521-2297 | Facsimile (703) 979-4709

The filing fee has been calculated as follows:

FOR	NUMBER FILED	NUMBER EXTRA	SMALL ENTITY		LARGE ENTITY	
			RATE	FEE	RATE	FEE
BASIC FEE				\$370.00		\$740.00
TOTAL CLAIMS	11 - 20 =	0	\$9.00	\$	\$18.00	\$
INDEPENDENT CLAIMS	1 - 3 =	0	\$42.00	\$	\$84.00	\$
MULTIPLE DEPENDENT CLAIM FEE			\$140.00	\$	\$280.00	\$
TOTAL SMALL ENTITY				\$		
			TOTAL LARGE ENTITY			\$740.00

☒ A Check in the amount of \$740.00 to cover all fees is attached.

☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit account No. 25-0120 in the name of Young & Thompson, as described below. A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17.

*Benoit Castel*

Benoit Castel  
Registration No. 35,041

745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone (703) 521-2297

BC/maf

Date: 12-21-01

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Kjell EKBERG et al.  
Appl. No.: New Group: Unknown  
Filed: December 21, 2001 Examiner: Unknown  
For: SYSTEM FOR PREPARATION OF A SOLUTION  
AND USE OF THE SOLUTION

PETITION UNDER 37 C.F.R. 1.47(A)

**Direct to: Office of Petitions**

Assistant Commissioner for Patents  
Washington, DC 20231

December 21, 2001

Sir:

It is respectfully requested that the present Continuation-In-Part application be accepted under the provisions of 37 C.F.R. 1.47(a), even though the second listed inventor, namely Sudhir CHOWDHURY, has refused to sign the application papers.

In support of this petition, there is submitted herewith a declaration of Mr. Anders LINDGREN, the foreign Patent agent having knowledge of the facts surrounding Mr. CHOWDHURY's refusal to sign the application papers. In his declaration, Mr. LINDGREN declares that on October 22, 2001 he sent a complete copy of the specification, claims, and drawings of the present CIP application together with an Assignment and a Combined Declaration/Power of Attorney to the non-signing inventor, Mr. Sudhir CHOWDHURY, at his last known address, namely: Vidjavgagen 53, 123 52 FARSTA, Sweden, Mr. LINDGREN further states that he knew that Mr. CHOWDHURY would not be

willing to execute the application papers for the filing of the present CIP application, but wanted to give him an opportunity to change his mind in this regard.

The entire package was mailed to Mr. CHOWDHURY by a registered letter, and was given fifteen days or no later than November 6, 2001 to respond to and execute the application papers. A copy of the letter sent to the non-signing inventor, as well as an English translation thereof accompanies Mr. LINDGREN's declaration.

As is indicated in the penultimate paragraph of Mr. LINDGREN's declaration, to date, Mr. CHOWDHURY has not responded by mail, although his wife called Mr. LINDGREN and indicated that due to a dispute between her husband and the Assignee, Mr. CHOWDHURY would not sign any documents.

In view of the above facts, and accompanying documents, it is respectfully requested that the above-identified application be accepted under the provisions of 37 C.F.R. 1.47(a), even though the second-listed inventor has refused to sign.

The Commissioner is hereby authorized to charge the requisite 37 C.F.R. 1.17(h) petition of \$130.00 to counselor's deposit account no. 25-0120.

Respectfully submitted,

YOUNG & THOMPSON

By

*Benoit Castel*

Benoit Castel

Registration No. 35,041

745 South 23<sup>rd</sup> Street

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BC/maf

Attachments

**DECLARATION IN SUPPORT  
OF PETITION under 37 CFR §1.47(a)**

I, Anders Lindgren, hereby declare that on October 22, 2001, I sent to Mr. Sudhir Chowdhury at his last known address, a complete copy of the specification, claims and drawings of a CIP application based on the parent US application No. 09/623,834, together with an Assignment and a combined Declaration and Power of Attorney.

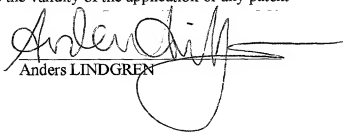
I knew him to be unwilling to sign the documents required for filing a CIP in the USPTO, but I wanted to give him an opportunity to change his mind in this regard.

The entire package was sent as a registered letter, and Mr. Chowdhury was given 15 days (i.e. no later than November 6, 2001) to respond by sending the documents duly signed back to me. I am enclosing a copy of the letter, as well as an English translation thereof.

To date, more than 1 month after the given time limit, Mr. Chowdhury has not responded by mail. However, his wife has called me and told me that until a dispute between her husband and the Assignee, OTRE AB, was settled, he would not be prepared to sign any documents.

And I further declare that all statements made herein of my own knowledge are true and that all statements made of information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

December 12, 2001  
Date

  
Anders LINDGREN

10023922.122101

Sudhir Chowdhury  
Vidjävägen 53  
123 52 FARSTA



Uppsala den 22 oktober, 2001

Vår ref. P05422US01/ALi/ce

**Continuation-in-part från US serial 09/623,834**  
**Sökande: Kjell Ekberg och Sudhir Chowdhury**

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Bäste Sudhir Chowdhury!

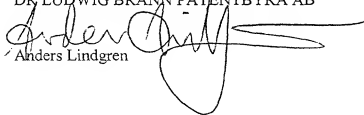
Jag bifogar med detta brev en fullständig kopia av en s.k. Continuation-in-part-ansökan (CIP), baserad på ansökan om patent i USA nr. 09/623,834, benämnd "System for preparation of a solution and use of the solution", samt vidhäftade "Assignment" och "Declaration and Power of Attorney".

Vi har genom OTRE AB förstått att Du meddelat att Du inte vill skriva under dessa handlingar.

Vi emotser handlingarna vederbörligen underskrivna inom 15 dagar, dvs. senast den

**6 november, 2001.**

Vänliga hälsningar  
DR LUDWIG BRANN PATENTBYRÅ AB

  
Anders Lindgren

DR LUDWIG BRANN PATENTBYRÅ AB.

Stockholm: Box 171 92, 104 62 Stockholm. Besöksadress: Maria Skolgata 83. Tel: 08 429 10 00. Fax: 08 429 10 70 (patent).

Fax: 08 429 10 80 (varumärken). E-mail: brann@brann.se

Uppsala: Box 1344, 751 43 Uppsala. Besöksadress: Drottninggatan 7. Tel: 018 56 89 00. Fax: 018 56 89 39.

Reg. No. 556483-6210. Styrelsens säte: Stockholm.

Hela texten med  
Decl. notariat +  
Assignment  
skickad

Sudhir Chowdhury  
Vidjavägen 53  
123 52 FARSTA

TRANSLATION

Uppsala 22 October, 2001

Our ref. P05422US01/ALI/ce

**Continuation-in-part from US serial 09/623,834**  
**Applicants: Kjell Ekberg and Sudhir Chowdhury**

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Dear Sudhir Chowdhury!

With this letter I enclose a full copy of a so called Continuation-in-part-application (CIP), based on application for patent in the US No. 09/623,834, entitled "System for preparation of a solution and use of the solution", together with attached "Assignment" and "Declaration and Power of Attorney".

From OTRE AB we understand that you have informed them that you are not willing to sign these documents.

We look forward to receiving the documents duly signed within 15 days, i.e. no later than on

**November 6, 2001.**

Very truly yours  
DR LUDWIG BRANN PATENTBYRÅ AB

Anders Lindgren